IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 11821 of 2004

Between:

Dama Venkateswarlu, S/o. Muthaiah,
R/o. Pallipadu, Konijerla Mandal, Khammam District.

..... PETITIONER

AND

1 Deputy Commissioner of Endowments, Warangal.
2 The Assistant Commissioner of Endowments, Khammam.
3 The Executive Officer, Sri Shambulingeswara Swamy & Anjaneya Swamy Temple, Pallipadu, Konijerla Mandal, Khammam District.
4 Kammaganti Mysaiah, S/o. Mysaiah,
R/o. Pallipadu, Konijerla (M), Khammam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction more particularly in the nature of Mandamus directing the Deputy Commissioner, Warangal to expedite dispose of the O.A.No.35/94.

Counsel for the Petitioner: MR.R.KAMESWAR RAO, Advocate

Counsel for the Respondent Nos 1&2.: GP FOR ENDOWMENTS

The Court made the following ORDER:

This writ petition is filed by the petitioner seeking direction to the first respondent to dispose of O.A.No.35 of 1994, which is said to have been filed by the second respondent for declaration of land in an extent of Ac.3.38 cents in Survey No.173 of Pallipadu village, Konijerla Mandal, Khammam District, belongs to the third respondent – Temple.

2. The grievance of the petitioner is that though the O.A., filed by the second respondent has been pending for the last ten years, the first respondent did not dispose of the same. But, however, the petitioner was already dispossessed from the suit schedule land even in the absence of any order by the first respondent.

3. Under the above circumstances, the petitioner sought for appropriate order for disposal of the O.A. filed by the second respondent.

4. Heard both sides.

5. Since, it is an unfortunate case, where the petitioner lost his possession of the property even though there is no order against him, the first respondent ought to have disposed of the O.A. filed by the second respondent long back, as the same is pending for the last ten years. Therefore, the first respondent is directed to dispose of the same expeditiously, preferably within a period of three months.

6. The writ petition is accordingly disposed of with the above directions.

13.07.2004

Note: Furnish CC in one week

B/o

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To

1 Deputy Commissioner of Endowments, Warangal.
2 The Assistant Commissioner of Endowments, Khammam.
3 The Executive Officer, Sri Shambulingeswara Swamy & Anjaneya Swamy Temple, Pallipadu, Konijerla Mandal, Khammam District.

4 Two CD Copies.
5 Two CCs to the Government Pleader for Endowments, High Court of A.P. Buildings, Hyderabad (OUT)